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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,312	08/30/2001	M. Shahid Mujtaba	HP-10007869	2180

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
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EXAMINER

HAMILTON, LALITA M

ART UNIT	PAPER NUMBER
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3691

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/944,312

Applicant(s)

MUJTABA ET AL.

Examiner

Lalita M. Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 20-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 20-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Summary

On September 8, 2006, an Office Action was sent to the Applicant rejecting claims 1-23. On December 14, 2006, the Applicant responded by amending claim 20, adding new claims 24-29, and canceling claims 9-19.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 8, 20-22, 24-26, 28-32, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Moreau (2002/0069166).

Moreau discloses a method and corresponding system for facilitating buying and selling transactions using money transfers comprising transferring money from a sender to a receiver at a location different from the sender, selecting a sender agent from a plurality of independent sender agents listed in a database (collection agents), selecting a receiver agent from a plurality of independent receiver agents listed in the database (merchants), authorizing the sender agent to transfer the money to the receiver agent, wherein the authorization is transmitted over a data network, sending information pertaining to the transfer of the money over the data network, transferring the money

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from the sender agent to the receiver agent through a financial network, wherein the receiver agent gives the money to the receiver upon receiving the money from the financial network and wherein the sender agent and the receiver agent are independent of the financial network (p.2, 28; p.3, 36; p.4, 43-46, and p.5, 56); using an intermediary to facilitate the transfer of money between the sender agent and the receiver agent (p.4, 43-46—facilitator); the intermediary hosts a web site which lists the plurality of independent sender agents and the plurality of independent receiver agents (p.4, 46); the intermediary tracks the transfer of the money (p.11, 108-109); the intermediary serving as a financial clearing house with respect to the plurality of independent sender agents and receiver agents (p.2, 28; p.3, 36; p.4, 43-46, and p.5, 56); the intermediary guaranteeing financial transactions between the sender, the selected sender agent, and the selected receiver agent (p.4, 43-44); grouping a plurality of money transfers and sending the money in one financial transaction (p.2, 28; p.3, 36; p.4, 43-46, and p.5, 56—can send any amount to the merchant(s)); facilitating a money transfer between a sender and a receiver located at a distance away from the sender by an intermediary, listing information pertaining to a plurality of agents on a web site, accepting a selection by the sender for one of the agents to become a sender agent, accepting a selection by the sender for one of the agents to become a receiver agent, transferring, in a particular transaction, the money from the sender agent to the receiver agent by a first medium used to handle financial transactions, aiding in transmission of information pertaining to the particular financial transaction by a second medium used to transmit data (p.2, 28; p.3, 36; p.4, 43-46, and p.5, 56); tracking the money transfer (p.8, 87); securing the

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transmission of information (p.2, 28; p.3, 36; p.4, 43-46, and p.5, 56); the web site showing a status of the particular financial transaction (p.8, 87); providing a tracking number for the particular financial transaction, wherein the web site shows the status of the particular financial transaction according to the tracking number (p.8, 87); intermediary maintaining information relating to customer feedback regarding one or more of the plurality of agents (p.4, 48 to p.5, 49); a computer to provide an Internet web site to list information pertaining to a plurality of agents that are selectable as a sender agent and a receiver agent, response to a request from the sender agent, the computer to transfer, in a particular financial transaction, the money from the sender agent to the receiver agent over a first medium to handle financial transactions, and provide, from the Internet web site, status information regarding the particular financial transaction over a second, different medium (p.2, 28; p.3, 36; p.4, 43-46, and p.5, 56); first medium comprises a financial network, and the second medium comprises the Internet (p.2, 28); wherein the sender agent and receiver agent are different from financial and banking institutions involved in the transfer of money (p.2, 28; p.3, 36; p.4, 43-46, and p.5, 56); and receiving a request from a sender agent to transfer money on behalf of a sender, wherein the sender agent is a non-financial and non-banking institution, transferring the money from the sender agent to the receiver agent through a financial transaction medium, wherein the receiver agent receives the transferred money on behalf of the receiver, and wherein the receiver agent is a non-financial and non-banking institution, and sending information about the transferred money over a network that is different from the financial transaction medium (p.2, 28; p.3, 36; p.4, 43-46, and p.5, 56).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 7, 23, 27, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moreau in view of Ganesan (2002/0087469).

Moreau discloses the invention substantially as claimed; however, Moreau does not disclose bidding for services rendered by the plurality of sender agents and receiver agents. Moreau does disclose that predetermined contracts/agreements may be arranged between the facilitator, merchants, and collection agents. Ganesan teaches a method and corresponding system for real-time electronic payments whereby services may be auctioned (p.2, 15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate bidding for services, as taught by Ganesan into the invention disclosed by Moreau, in order to allow the facilitator to create an auction for services as part of the predetermined contract/agreement.

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Response to Arguments

Applicant's arguments with respect to claims 1-8, 20-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**LALITA M. HAMILTON
PRIMARY EXAMINER**